

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David E. Francischelli et al. Examiner: Peter J. Vrettakos
Serial No.: 10/792,178 Group Art Unit: 3739
Filed: March 3, 2004 Docket No.: M190.253.101/P-8575.06
Title: VIBRATION SENSITIVE ABLATION DEVICE AND METHOD

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated January 9, 2008, rejecting claims 25-33. The fee for this Notice of Appeal under 37 C.F.R. §41.20(b) is **\$510.00**.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

☒ (a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

- ☒ one month (\$120.00)
☐ two months (\$450.00)
☐ three months (\$1020.00)
☐ four months (\$1590.00)
☐ The extension fee has already been filed in this application.

☐ (b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of **\$510.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

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Any inquiry regarding this Notice of Appeal should be directed to Rudolph P. Hofmann at Telephone No. (612) 573-2010, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Dicke, Billig & Czaja, PLLC
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100 South Fifth Street
Minneapolis, MN 55402

Respectfully submitted,

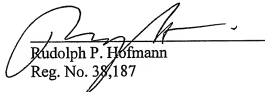
David E. Francischelli et al.,

By their attorneys,

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Date: May 9, 2008

RPH:cms


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